

### **REMARKS**

This amendment is responsive to the Decision on Appeal dated April 29, 2009. In the Decision on Appeal, the Board concluded:

1. Appellants demonstrated that the Examiner erred in rejecting claims 58, 59, 60, 69 and 73 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement.
2. Appellants demonstrated that the Examiner erred in rejecting claims 49-61 and 64-73 under 35 U.S.C. § 102(e) as being anticipated by Collins (US 2002/0007362 A1).
3. Appellants demonstrated that the Examiner erred in rejecting claims 62 and 63 under 35 U.S.C. § 103(a) as being unpatentable over Collins and Official Notice.<sup>1</sup>

In this Amendment, Applicant has cancelled claims 49-57, 61-68 and 70-72. As a result, claims 58, 59, 60, 69 and 73 are pending. In view of the Decision of the Board, all claims are in a condition for allowance.

### **CONCLUSION**

All claims in this application are in condition for allowance. Applicant respectfully requests reconsideration and prompt allowance of all pending claims. Please charge any additional fees or credit any overpayment to deposit account number 50-1778. The Examiner is invited to telephone the below-signed attorney to discuss this application.

Date:

May 13, 2009

SHUMAKER & SIEFFERT, P.A.  
1625 Radio Drive, Suite 300  
Woodbury, Minnesota 55125  
Telephone: 651.286.8341  
Facsimile: 651.735.1102

By:

Kent J. Sieffert

Name: Kent J. Sieffert  
Reg. No.: 41,312

<sup>1</sup> Decision on Appeal, April 29, 2009, pg. 55.